

424 Rec'd PCT/PTO 18 AUG 2000

09/581602 #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of :
Manabu OUMI et al. :
Serial No. 09/581,602 :
Filed: June 15, 2000 :
For: INFORMATION REPRODUCING :
APPARATUS, INFORMATION :
RECORDING APPARATUS, :
INFORMATION MEDIUM, :
INFORMATION REPRODUCING :
METHOD AND INFORMATION :
RECORDING METHOD USED :
IN INFORMATION REPRO- :
DUCTION AND RECORDING :
UTILIZING NEAR-FIELD :
LIGHT : Docket No. S004-4005 (PCT)

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ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, DC 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

S I R:

On July 21, 2000, the PTO issued a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) ("Notification") advising that the application was filed without a declaration and providing a one-month period in which to submit the declaration and surcharge for late filing thereof.

08/21/2000 ERMANDU 00000130 09581602

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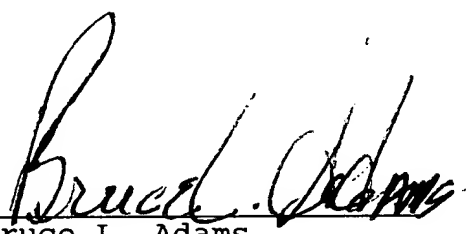
**MAILING CERTIFICATE ON
LAST PAGE**

In response to the PTO Notification, a duly signed declaration is submitted herewith together with a check in the sum of \$130.00 to cover the required surcharge for the late filing of the declaration. Also submitted is a copy of the PTO Notification. Should the check prove insufficient for any reason, authorization is hereby given to charge any such deficiency to Deposit Account No. 01-0268.

It is respectfully requested that the processing of the application be completed, and that the filing receipt be issued in due course.

Respectfully submitted,

ADAMS & WILKS
Attorneys for Applicants

By: 
Bruce L. Adams
Reg. No. 25,386

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New York, NY 10004
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MAILING CERTIFICATE

I hereby certify that this correspondence
is being deposited with the United States
Postal Service as first-class mail in an
envelope addressed to: Commissioner of
Patents & Trademarks, Washington, D.C.
20231, on the date indicated below.

Bruce L. Adams

Attorney Name


Signature

August 16, 2000

Date

09/581602



UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 Address: ASSISTANT COMMISSIONER FOR PATENTS
 Box PCT
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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09/581,602

OLIMI

5071

INTERNATIONAL APPLICATION NO. 581602 (P)

PCT/JP99/05725

FILE FILING DATE	PRIORITY DATE
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10/15/99

10/19/98

DATE MAILED

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☒ a Designated Office (37 CFR 1.494),
- ☐ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☒ a non-English language.
 - ☐ English.
- ☒ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s) filed _____ and _____.
- ☐ Information Disclosure Statement(s) filed _____ and _____.
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed _____.
- ☐ Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(e)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone:

Washington, D.C.
 Patent and Trademark Office
 Paralegal Specialist
 (202) 305-6421